

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

UNITED STATES OF AMERICA,

:
Plaintiff,

:
vs.

Case No. 3:10-CR-0063 (1)

DREWMAR THREATS,

:
JUDGE WALTER HERBERT RICE

:
Defendant.

DECISION AND ENTRY OVERRULING DEFENDANT'S MOTION TO
STAY INCARCERATION PENDING APPEAL (DOC. #46)

The Motion of the Defendant, seeking an order of the Court granting a stay of that portion of his sentence requiring him to serve 12 months of incarceration pending the outcome of his appeal (Doc. #46), is overruled, given that the Defendant has not only failed to prove prongs(A) and (B) of 18 U.S.C. § 3143 (b)(1), the Defendant has failed to set forth facts upon which this Court could draw a reasonable inference, allowing it to make such findings, particularly with regard to sub-section (B).



December 7, 2010

WALTER HERBERT RICE
UNITED STATES DISTRICT JUDGE

Copies to:

Counsel of record
United States Marshal
United States Pretrial Services
United States Probation Department